

**Battelle**  
*The Business of Innovation*

Intellectual Property Legal Department  
505 King Avenue  
Columbus, OH 43201

MAY 30 2006

Date: May 30, 2006

*Fax***To: US Patent Office****Fax No: 571-273-8300****Phone No:****Company:****From: Judy Readman****Fax No: 614-424-3864****Phone No: 614-424-5329****Total Pages: 2 (Including Lead Sheet)****Comments:**

RE: Application Number: 09/758,716  
Filing Date: 01-11-2001  
First Named Inventor: Coffee  
Art Unit: 16153743  
Examiner: Kim M. Lewis  
Attorney Docket Number: 13395

The statutory period for reply was not filled in - see following document. Want to verify that this should be a one month from date of mailing expiration date.

I can be reached at:

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Regards,

  
Judy Readman

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614 424 3864 P.02

MAY 30 2006

Applicant(s)

COFFEE, RONALD ALAN

**Office Action Summary**

09/758,716

Examiner

Kim M. Lewis

Art Unit

3743

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2005 and 02 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 42-67, 69-75 and 77-103 is/are pending in the application.
- 4a) Of the above claim(s) 42-46, 50-58, 60, 62-64 and 81-103 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 47-49, 59, 65-67, 69-75 and 77-80 is/are allowed.
- 6) ☒ Claim(s) 61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/2/06
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date, \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action

U.S. Patent and Trademark Office  
PTOL-326 (Rev. 7-05)

Office Action Summary

Part of Paper No./Mail Date 20050505